



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:
M-9J

Allan L. Blutstein
America Rising
1500 Wilson Blvd, 5th floor
Arlington, Virginia 22209

Re: Freedom of Information Act (FOIA) Request EPA-R5-2017-005435

Dear Mr. Blutstein:

This is in response to your FOIA request for emails sent by Michael J. Mikulka on March 28, 2017 that mentions or refers to President Trump or the Clean Power Plan.

We have no records responsive to your request.

For your information, emails involving union-to-union or union-to-third parties (non-EPA) were sent by Mr. Mikulka in his capacity as President of American Federation of Government Employees Local 704 rather than as an EPA employee. These emails are not considered agency records subject to the FOIA. Furthermore, emails sent by Mr. Mikulka that were used for personal objectives or in a non-employee capacity are not attributable to EPA and are therefore not considered Agency records.

The cost of processing this FOIA request was \$63.00. We will send you an invoice for this amount.

This letter concludes the Resources Management Division's response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the National Freedom of Information Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals received after the 90 calendar day limit. Appeals received after 5:00 pm EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202)566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration,

Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; e-mail, ogis@nara.gov; telephone, (202) 741-5770 or (877) 684-6448; or fax, (202) 741-5769.

You may find further information on FOIA at the EPA Region 5 FOIA Library, <https://www.epa.gov/foia/foia-library-information-specific-epa-region-5>.

Please contact Kaushal Gupta, FOIA Specialist, at (312) 886-6803 or gupta.kaushal@epa.gov if you have any questions on this matter.

Sincerely,



Amy Sanders
Acting Assistant Regional Administrator
Resources Management Division

Enclosure